



CITY OF DUBLIN.

Land Use and
Long Range Planning
5800 Shier-Rings Road
Dublin, Ohio 43016-1236

Phone/ TDD: 614-410-4600
Fax: 614-410-4747
Web Site: www.dublin.oh.us

PLANNING AND ZONING COMMISSION APPLICATION

(Code Section 153.232)

I. PLEASE CHECK THE TYPE OF APPLICATION:

<input type="checkbox"/> Informal Review	<input type="checkbox"/> Final Plat (Section 152.085)
<input type="checkbox"/> Concept Plan (Section 153.056(A)(1))	<input type="checkbox"/> Conditional Use (Section 153.236)
<input checked="" type="checkbox"/> Preliminary Development Plan / Rezoning (Section 153.053)	<input type="checkbox"/> Corridor Development District (CDD) (Section 153.115)
<input checked="" type="checkbox"/> Final Development Plan (Section 153.053(E))	<input type="checkbox"/> Corridor Development District (CDD) Sign (Section 153.115)
<input type="checkbox"/> Amended Final Development Plan (Section 153.053(E))	<input type="checkbox"/> Minor Subdivision
<input type="checkbox"/> Standard District Rezoning (Section 153.018)	<input type="checkbox"/> Right-of-Way Encroachment
<input type="checkbox"/> Preliminary Plat (Section 152.015)	<input type="checkbox"/> Other (Please Specify): _____

Please utilize the applicable *Supplemental Application Requirements* sheet for additional submittal requirements that will need to accompany this application form.

II. PROPERTY INFORMATION: This section must be completed.

Property Address(es): 6325 Perimeter Loop Road	
Tax ID/Parcel Number(s): Franklin County 273-008212; Portion of 273-012294	Parcel Size(s) (Acres): 15.69±
Existing Land Use/Development: Automobile dealership sales and service; partially undeveloped	

IF APPLICABLE, PLEASE COMPLETE THE FOLLOWING:

Proposed Land Use/Development:	Expansion of automobile dealership sales and service
Total acres affected by application:	15.69±

III. CURRENT PROPERTY OWNER(S): Please attach additional sheets if needed.

Name (Individual or Organization): Car Mag LLC and Car Mag Park LLC	
Mailing Address: (Street, City, State, Zip Code)	1420 Spring Hill Road, Suite 525 McLean, Virginia 22102
Daytime Telephone: (614) 889-2571	Fax: (614) 793-7963
Email or Alternate Contact Information:	

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09-108 Z/PDP/50P

IV. APPLICANT(S): This is the person(s) who is submitting the application if different than the property owner(s) listed in part III. Please complete if applicable.

Name: Tim Galli, Executive VP	Applicant is also property owner: yes <input type="checkbox"/> no <input checked="" type="checkbox"/>
Organization (Owner, Developer, Contractor, etc.):	Midwestern Auto Group
Mailing Address: (Street, City, State, Zip Code)	6335 Perimeter Loop Road, Dublin, Ohio 43017
Daytime Telephone: (614) 889-2571	Fax: (614) 793-7963
Email or Alternate Contact Information:	tgalli@magcars.com

V. REPRESENTATIVE(S) OF APPLICANT / PROPERTY OWNER: This is the person(s) who is submitting the application on behalf of the applicant listed in part IV or property owner listed in part III. Please complete if applicable.

Name: Aaron L. Underhill, Esq.
Organization (Owner, Developer, Contractor, etc.): Smith & Hale LLC
Mailing Address: (Street, City, State, Zip Code)
37 W. Broad St., Suite 725, Columbus, Ohio 43215
Daytime Telephone: (614) 221-4255
Fax: (614) 221-4409
Email or Alternate Contact Information: aunderhill@smithandhale.com

VI. AUTHORIZATION FOR OWNER'S APPLICANT or REPRESENTATIVE(S): If the applicant is not the property owner, this section must be completed and notarized.

I, Car Mag LLC and Car Mag Park LLC, the owner, hereby authorize the attorneys with the law firm of Smith & Hale LLC to act as my applicant or representative(s) in all matters pertaining to the processing and approval of this application, including modifying the project. I agree to be bound by all representations and agreements made by the designated representative.

Signature of Current Property Owner: T. Galli Date: 11-20-09

Check this box if the Authorization for Owner's Applicant or Representative(s) is attached as a separate document

Subscribed and sworn before me this 20 day of Nov, 2009
 State of Ohio
 County of Franklin

Notary Public: [Signature]



FARIDA SHARIFF
 Notary Public
 State of Ohio

My Commission Expires: 07/01/2014

VII. AUTHORIZATION TO VISIT THE PROPERTY: Site visits to the property by City representatives are essential to process this application. The Owner/Applicant, as noted below, hereby authorizes City representatives to visit, photograph and post a notice on the property described in this application.

I, Aaron L. Underhill, attorney, the owner or authorized representative, hereby authorize City representatives to visit, photograph and post a notice on the property described in this application.

Signature of applicant or authorized representative: Aaron L. Underhill Date: 10/20/09

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 10/20/09

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 09-102709 SOP

VIII. UTILITY DISCLAIMER: The Owner/Applicant acknowledges the approval of this request for review by the Dublin Planning and Zoning Commission and/or Dublin City Council does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant.

I, <u>Aaron L. Underhill, attorney</u> , the owner or authorized representative, acknowledge that approval of this request does not constitute a guarantee or binding commitment that the City of Dublin will be able to provide essential services such as water and sewer facilities when needed by said Owner/Applicant.	
Signature of applicant or authorized representative: <u>Aaron L. Underhill</u>	Date: <u>10/20/09</u>

IX. APPLICANT'S AFFIDAVIT: This section must be completed and notarized.

I, <u>Aaron L. Underhill, attorney</u> , the owner or authorized representative, have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all respects true and correct, to the best of my knowledge and belief.	
Signature of applicant or authorized representative: <u>Aaron L. Underhill</u>	Date: <u>10/20/09</u>

Subscribed and sworn to before me this 20th day of November, 2009

State of Ohio
 County of Franklin

Notary Public Natalie C. Patrick



NATALIE C. PATRICK
 Notary Public, State of Ohio
 My Commission Expires 09-04-10

FOR OFFICE USE ONLY			
Amount Received: <u>\$3140.-</u>	Application No: <u>09-108</u>	P&Z Date(s):	P&Z Action:
Receipt No: <u>907394</u>	Map Zone: <u>4</u>	Date Received: <u>11-20-09</u>	Received By: <u>CDH</u>
City Council (First Reading):		City Council (Second Reading):	
City Council Action:		Ordinance Number:	
Type of Request: <u>Rezoning / Preliminary Development Plan / Final Dev. Plan</u>			
N, <input checked="" type="radio"/> S, E, W (Circle) Side of: <u>Perimeter Drive</u>			
N, S, <input checked="" type="radio"/> E, W (Circle) Side of Nearest Intersection: <u>Perimeter Loop Rd</u>			
Distance from Nearest Intersection: <u>at intersection (0')</u>			
Existing Zoning District: <u>PCD & PD</u>		Requested Zoning District: <u>PUD</u>	

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CITY OF DUBLIN
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09-108 Z/PDP/SDP

EXHIBIT "A"

DESCRIPTION OF 14.780 ACRE TRACT AT S.E. CORNER OF
PERIMETER DRIVE & WILCOX ROAD, DUBLIN, OHIO
FOR BRENTLINGER ENTERPRISES

Situated in the State of Ohio, County of Franklin and in the City of Dublin in Virginia Military Survey No. 2999 and being all or a portion of the following two (2) tracts of land conveyed to Brentlinger Enterprises:

1. 14.543 acres out of a 14.550 acre tract conveyed by deed, of record as Instrument No. 199708140071435 and re-recorded as Instrument No. 19971120148133; Recorder's Office, Franklin County, Ohio,
2. all of a .240 acre tract conveyed by deed, of record as Parcel No. 18-EL (formerly Parcel No. 18 AWD) (0.237 acre by recent survey) as Instrument No. 199710010107944, Recorder's Office, Franklin County, Ohio,

all bounded and described as follows:

Beginning at a 3/4-inch I.D. iron pipe set at a point of curvature at the south end of the curve connecting the east line of Wilcox Road (80 feet wide) with the south line of Perimeter Drive (80 feet wide), as shown upon the plat of "Post Road, Wilcox Road, Perimeter Drive & Easements Dedication Plat", of record in Plat Book 85, Pages 51, 52 and 53, Recorder's Office, Franklin County, Ohio, and as shown upon the plat of "Dedication of Discovery Boulevard, Perimeter Drive, Wall Street and Easements", of record in Plat Book 72, Pages 79 and 80, Recorder's Office, Franklin County, Ohio;

thence northeasterly along said connecting curve, along the curved northwest line of said original 14.550 acre tract and with a curve to the right, data of which is: radius = 30.00 feet and delta = 90° 00' 00", a chord distance of 42.43 feet bearing N 42° 03' 53" E to a 3/4-inch I.D. iron pipe set at the point of tangency at the east end of said connecting curve;

thence N 87° 03' 53" E along the south line of Perimeter Drive and along the north line of said original 14.550 acre tract a distance of 584.20 feet to a 3/4-inch I.D. iron pipe set at a point of connection with the west line of proposed Venture Drive (60 feet wide);

thence S 45° 54' 01" E along said west line a distance of 43.91 feet to a 3/4-inch I.D. iron pipe set at a point of curvature;

thence southerly along a curved west line of proposed Venture Drive, along a curved east line of said original 14.550 acre tract and with a curve to the right, data of which is: radius = 220.00 feet and delta = 21° 24' 42", a chord distance of 81.74 feet bearing S 11° 50' 26" W to a 3/4-inch I.D. iron pipe set at the point of tangency;

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EXHIBIT "A" continued

thence S 22° 32' 47" W along the west line of proposed Venture Drive and along an east line of said original 14.550 acre tract a distance of 158.04 feet to a 3/4-inch I.D. iron pipe set at a point of curvature;

thence southerly along a portion of a curved west line of proposed Venture Drive, along a curved east line of said original 14.550 acre tract and with a curve to the left, data of which is: radius = 330.00 feet and sub-delta = 71° 33' 40", a sub-chord distance of 385.89 feet bearing S 13° 14' 02" E to a 3/4-inch I.D. iron pipe set at a corner of said original 14.550 acre tract;

thence S 40° 59' 07" W radial to said curve and along an east line of said original 14.550 acre tract a distance of 92.66 feet to a 3/4-inch I.D. iron pipe set at a corner of said original 14.550 acre tract;

thence S 2° 01' 49" W perpendicular to the north limited access right-of-way line of U.S. Route 33 and Ohio Route 161, perpendicular to a north line of a 0.561 acre tract of land conveyed as Parcel No. 18 AVL to State of Ohio by deed of record in Deed Book 2812, Page 483, Recorder's Office, Franklin County, Ohio, and along an east line of said original 14.550 acre tract a distance of 468.33 feet to a 3/4-inch I.D. iron pipe set in the north limited access right-of-way line of U.S. Route 33 and Ohio Route 161, in a north line of said 0.561 acre tract and at the southeast corner of said original 14.550 acre tract, as said limited access right-of-way line is shown upon Sheet 12 of 14 of Ohio Department of Transportation right-of-way plans for FRA-33-0,34, said iron pipe being 105.00 feet northerly by perpendicular measurement from the centerline of U.S. Route 33 and Ohio Route 161;

thence N 87° 58' 11" W along the north limited access right-of-way line of U.S. Route 33 and Ohio Route 161, along a portion of a north line of said 0.561 acre tract, along a south line of said original 14.550 acre tract and along a south line of said 0.237 acre tract a distance of 502.56 feet to a 3/4-inch I.D. iron pipe set at an angle point in the north limited access right-of-way line of U.S. Route 33 and Ohio Route 161, at the northwest corner of said 0.561 acre tract and at a corner of said 0.237 acre tract (passing a point at a southwest corner of said original 14.550 acre tract and at the southeast corner of said 0.237 acre tract at 485.00 feet);

thence N 56° 14' 47" W along a north limited access right-of-way line of U.S. Route 33 and Ohio Route 161 and along a south line of said 0.237 acre tract a distance of 24.72 feet to a 3/4-inch I.D. iron pipe set at an angle point in the north limited access right-of-way line of U.S. Route 33 and Ohio Route 161 and at a corner of said 0.237 acre tract;

thence N 87° 58' 11" W along the north limited access right-of-way line of U.S. Route 33 and Ohio Route 161 and along a south line of said 0.237 acre tract a distance of 30.11 feet to a 3/4-inch I.D. iron pipe set in the centerline of Wilcox Road and at the southwest corner of said 0.237 acre tract, said iron pipe being 118.00 feet northerly by perpendicular measurement from the centerline of U.S. Route 33 and Ohio Route 161;

EXHIBIT "A" continued


thence N 2° 58' 07" W along the centerline of Wilcox Road and along the west line of said 0.237 acre tract a distance of 122.47 feet to a P.K. Nail set at the northwest corner of said 0.237 acre tract and at the southwest corner of the east one-half of dedicated Wilcox Road;

thence S 87° 58' 11" E along a north line of said 0.237 acre tract and along the south end of said dedicated portion of Wilcox Road a distance of 30.11 feet to a 3/4-inch I.D. iron pipe set at a corner of said 0.237 acre tract, at a southwest corner of said original 14.550 acre tract and at the southeast corner of said dedicated portion of Wilcox Road;

thence N 2° 56' 07" W along the east line of Wilcox Road and along a west line of said original 14.550 acre tract a distance of 952.27 feet to the place of beginning;

containing 14.780 acres of land more or less and being subject to all easements and restrictions of record.

The above description was prepared by Ted L. Robinson, Ohio Surveyor No. 5361, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from an actual field survey performed under his supervision in July, 1997. Basis of bearings is the east line of Wilcox Road, being N 2° 58' 07" W, as shown of record in Plat Book 85, Pages 51, 52 and 53, Recorder's Office, Franklin County, Ohio.


Ted L. Robinson
Ohio Surveyor 5361



6-108-A
ALL
(273)
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01 MAY 02
AD

PLACE OF BEGIN.
FOR A 0.913 AC.
REZONING TRACT

The basis of bearings was transferred from a GPS survey of Franklin County Monuments N7-94 and N8-94 performed by the Franklin County Engineer's Office in 1995, and is based on the NAD83, Ohio State Plane Coordinate System, South Zone (1986 Adj.) and determines the centerline of Venture Drive as being S 89° 16' 34" E.

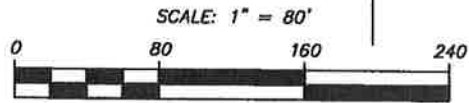
VENTURE DR. ~ 60'

R = 330.00'
Δ = 8°24'51"
L = 48.46'
Ch = 48.42'
S 54°31'42" E

0.913 AC.

CAR MAG L.L.C.
14.780 AC.
INSTR. 200205010109358
P.N. 273-008212

CAR MAG PARK L.L.C.
5.099 AC.
INST. 200906170087819
P.N. 273-012294



GRAPHIC SCALE

S 89°16'34" E
57.48'

U.S. ROUTE 33 & S.R. 161 (VARIABLE WIDTH)
FRA. 33-0.34

EXHIBIT FOR A 0.913 ACRE TRACT FOR REZONING
ALONG VENTURE DRIVE, SOUTH OF PERIMETER DRIVE,
CITY OF DUBLIN, FRANKLIN CO., OHIO



SCALE: 1" = 80'

NOVEMBER 20, 2009



C.F. Bird & R.J. Bull, Inc.
2875 W. Dublin-Granville Rd.
Columbus, Ohio 43235

Kevin L. Baxter
Kevin L. Baxter ~ Ohio Surveyor No. 7697

November 20, 2009

**DESCRIPTION OF A 0.913 ACRE TRACT FOR REZONING
ALONG VENTURE DRIVE, SOUTH OF PERIMETER DRIVE,
CITY OF DUBLIN, FRANKLIN CO., OHIO**

Situated in the State of Ohio, County of Franklin, City of Dublin, in Virginia Military Survey No. 2999 and being a portion of a 5.099 acre tract of land conveyed to Car MAG Park L.L.C., by deed of record in Instrument 200906170087819, all references to Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point in the curved southwesterly right-of-way line of Venture Drive (60 feet in width) as shown upon the plat entitled "Dedication Of Venture Drive, Easements and Vacation of Existing Sanitary Sewer Easements" of record in Plat Book 89, Pages 43, 44 and 45, at the northwesterly corner of said 5.099 acre tract and at an easterly corner of a 14.780 acre tract of land conveyed to Car MAG L.L.C., by deed of record in Instrument 200205010109358;

thence southeasterly along the curved southwesterly right-of-way line of Venture Drive, along the curved northeasterly line of said 5.099 acre tract and with a curve to the left, data of which is: radius = 330.00 feet, and delta = $08^{\circ} 24' 51''$, arc length = 48.46 feet, a chord distance of 48.42 feet a bearing of $S 54^{\circ} 31' 42'' E$ to a point;

thence $S 05^{\circ} 15' 52'' W$ crossing said 5.099 acre tract a distance of 512.41 feet to a point in the south line of said 5.099 acre tract and in the north Limited Access right-of-way line of U.S. Route 33 & State Route 161 ~ FRA. 33-0.34 (variable width);

thence $N 89^{\circ} 16' 34'' W$ along the north Limited Access right-of-way line of U.S. Route 33 & State Route 161 and along a portion of the south line of said 5.099 acre tract a distance of 57.48 feet to a point at the southwest corner of said 5.099 acre tract and at the southeast corner of said 14.780 acre tract;

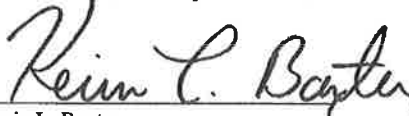
thence $N 00^{\circ} 43' 26'' E$ along the west line of said 5.099 acre tract and along an east line of said 14.780 acre tract a distance of 180.31 feet to a point at a corner of said 5.099 acre tract and at a corner of said 14.780 acre tract;

thence $N 39^{\circ} 40' 44'' E$ along the northwest line of said 5.099 acre tract and along the southeast line of said 14.780 acre tract a distance of 92.67 feet to the place of beginning;

containing 0.913 acres of land more or less and being subject to all easements and restrictions of record.

The above description was prepared by Kevin L. Baxter, Ohio Surveyor No. 7697, of C.F. Bird & R.J. Bull, Inc., Consulting Engineers & Surveyors, Columbus, Ohio, from best available Court House record in October, 2009. Basis of bearings was transferred from a GPS Survey of Franklin County Monuments N7-94 and N8-94 performed by the Franklin County Engineer's Office in 1995, and is based on the NAD83, Ohio State Plane Coordinate System, South Zone (1986 Adj.) and determines the centerline of Venture Drive as being $S 89^{\circ} 16' 34'' E$.

An exhibit of this description is attached hereto and made a part thereof.



Kevin L. Baxter
Ohio Surveyor #7697



MIDWESTERN AUTO GROUP

PRELIMINARY AND FINAL DEVELOPMENT PLAN APPLICATION STATEMENT

6325 PERIMETER LOOP ROAD

III. Development Plan Statement

A. Please briefly explain the proposed development:

The proposed development consists of an existing automobile sales and service facility operated by Midwestern Auto Group (MAG). Recently, MAG purchased the Volvo automobile dealership that is currently found in Linworth off of Dublin-Granville Road. It now desires to bring the Volvo dealership to its existing dealership in Dublin in order to consolidate its operations and continue its tradition of serving this market with sales and service of upscale, luxury vehicles.

The zoning text that is applicable to this site at the time of the filing of this application requires a rezoning of the dealership property in order to alter the previously approved site plan. All of the existing dealership is found within the boundaries of Subarea J of the Perimeter Center PUD. This property is included in this application, while a small portion of undeveloped land (0.9± acres) is also included and is found within Subarea D of the Perimeter Center PUD. This application calls for the expansion of the eastern side of the dealership to provide for sales and service of the Volvo automobile line. This expansion also will accommodate new office space for the dealership's existing and relocated administrative staff, as well as an owner's office and residential suite which is expected to be used on a part-time basis to accommodate the dealership's owner, who lives out-of-state. High-quality architecture and landscaping will form the basis of an upgraded site plan. The goal is for MAG's Volvo dealership to be operational from this site in early 2011, if not sooner. This timeline is being driven by the expiration of MAG's lease for Volvo at its Linworth site, which expires at the end of 2010.

In addition to this application, a separate rezoning application will be filed by this applicant in the coming months that will request approval of a preliminary development plan for a BMW dealership to be located immediately to the east of this PUD to complete the MAG dealership campus. MAG plans to develop, construct, and begin operations from the new BMW facility between late 2011 and mid-2012. Therefore, the Volvo site plan is being proposed with an eye toward further development occurring next door soon thereafter.

B. Briefly state how the proposed development relates to the existing and future land use character of the vicinity:

This application continues the use of a permitted automobile sales and service facility. Other dealerships are also found in the area along U.S. Route 33 and State Route 161. Therefore, the use fits in with the existing nature of the area. It also conforms to the future character of the area, which generally can be expected to include commercial and office uses along the freeway and in the Avery Road corridor.

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C. Briefly state how the proposed development will relate to the Dublin Community Plan and any other applicable standards/resolutions such as Conservation Design and the Residential Appearance Standards:

The use of the site is not changing with this application. However, the Community Plan designates this area as “General Commercial.” The uses that are present in such a district include retail uses such as automobile sales and service.

D. Briefly explain how the proposed rezoning and development meet the review criteria for Preliminary and Final Development Plan approval by the Planning and Zoning Commission as stated in Section 153.055(B).

The proposed site plan as filed complies in most respects with the currently approved PUD text that is applicable to the site. The updated zoning text in the new PUD adds a small amount of acreage to accommodate the Volvo expansion. Adequate provision is made for safe and efficient pedestrian and vehicular circulation within the site and to adjacent properties by preserving existing curbcuts. Since there is an existing facility on the site, all relevant and necessary public utilities and services are available for this site. New architecture and landscaping reflect brand imaging within the context of Dublin.

OWNERS

Car Mag LLC
1420 Spring Hill Rd. # 525
McLean, VA 22102

Car Mag Park LLC
8270 Greensboro Dr. #950
McLean, VA 22102

APPLICANT

Midwestern Auto Group
Attn: Tim Galli
6335 Perimeter Loop Drive
Dublin, OH 43017

ATTORNEYS

Ben W. Hale, Jr.
Aaron L. Underhill
37 W. Broad St., Suite 725
Columbus, OH 43215

SURROUNDING PROPERTY OWNERS

AHF Management Corp.
5920 Venture Dr.
Dublin, OH 43017

Consolidated Biomedical
Laboratories, Inc.
P.O. Box 2230
Burlington, NC 27216

Discovery MC Investments LLC
7007 Discovery Blvd.
Dublin, OH 43017

Hawkins Family Partnership Ltd.
c/o Dwayne Hawkins
6001 34th St. N.
St. Petersburg, FL 33714

Ohio Central Credit Union
6033 Perimeter Dr.
Dublin, OH 43017

Waldron Investments LLC
6042 Quin Abbey Ct. E.
Dublin, OH 43017

Fleda Anderson & Neville Reay
6602 Heatherston Loop
Dublin, OH 43017

Paulo & Marilena Cugini
155 Green Meadows Dr. S.
Westerville, OH 43081

EMC Dublin LLC
150 N. Wacher Dr., Suite 800
Chicago, IL 60606

Ivan Mounts
10775 Fitzgerald Outlet
Mount Sterling, OH 43143

Sherrie Ridenour
6051 Perimeter Dr.
Dublin, OH 43017

BOR Associates LLC
5850 Venture Dr.-A
Dublin, OH 43017

DBD 6000 Venture LLC
6000 Venture Dr.
Dublin, OH 43017

Gerald Ferguson
6601 Heatherstone Circle
Dublin, OH 43017

MSKB LLC
5970 Venture Dr.
Dublin, OH 43017

Venture Drive Partners II LP
5920 Venture Dr., Suite 200
Dublin, OH 43017

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